



**Testimony of CT Commissioner of Agriculture F. Philip Prelli on the Department of
Environmental Protection's proposed Stream Flow Standards and Regulations
January 21, 2010**

Mr. / Madame Chair. Thank you for the opportunity today to comment on DEP's proposed regulations for Stream Flow Standards.

Connecticut enjoys a long history of farming. The link between agriculture and water usage in Connecticut extends back to the Mohegans, Pequots and Quinnipiacs who were perhaps Connecticut's first farmers. During the 1600's large tracts of forests were cleared to make way for farming. Known as "The Provision State", Connecticut provided more food for Washington's Army than any other colony during the Revolutionary War. This rich tradition extends to the present day.

Today, Connecticut agriculture is broad, dynamic, diverse and growing. However, Connecticut agriculture's future is heavily dependant upon access to sufficient quantities of water to ensure growth of the industry. There is no question that successfully managing a resource such as water will greatly add to the ability to plan that growth in an efficient manner. Farmers have demonstrated over the years an appreciation for good stewardship. Already our farmers are adopting new methods of irrigation including water reclamation and trickle type sprinkling.

The Department of Agriculture and the whole agricultural community support the overall concept of managing this resource through regulations that balance the needs of environmental quality with the needs of viable agricultural pursuits.

I would be remiss, however, if I did not point out some concerns. Farming is a tenuous business. It is subject to the vagaries of nature. Drought is a constant concern. Knowing that adequate sources of water exist to combat short term drought is critical for a farmer to manage his or her crop. The regulations as they are currently proposed plan to develop stream classifications, in Connecticut's 5 major river basins over a 5 year period. It is anticipated that a series of requirements will be imposed on those who divert water from rivers, streams and those who pump their water from wells. It is also anticipated that these requirements will be phased in to allow current water users the opportunity to alter their operations to comply with these requirements. The lack of specificity as to which basin is to be classified in which order as well as what type of water usage requirements are to be imposed on the farmers causes grave concerns in the industry. There is also no consideration given to the tremendous cost that this struggling industry will have to face. The cost of engineering studies alone could cause a small farm, with a few hands, that has been in a family for generations, to go out of business.

The Department of Agriculture participated in the DEP Commissioner's Advisory Group on this topic. During those deliberations the Department was under the impression that, what were called "offramps" or exemptions was to be provided for agriculture in the proposed regulations. The final draft of those proposed regulations provide no such "offramp" nor provide an adequate road map on how such an exemption may be met. The Department would like the opportunity to work with DEP to provide sensible exemptions for agriculture, including possible exemptions for existing agriculture diversions.

Consequently apprehension among the agricultural community has been growing during the period of time leading up to this public hearing. There is great concern that the first basin to be classified serves as a learning experience. The notion that a viable agricultural business would serve as an experiment or "guinea pig" in this process is completely unacceptable to those whose existence is dependant upon the land and its bounty. The agricultural community requires some specifics so as to manage this change which is being imposed upon them.

Farmers need to know which river basin is to be classified first and what the scientific basis is for that decision. Not knowing how and which streams will be classified make it impossible for farmers to assess the impact or benefit of these proposed regulations. In addition, what specific requirements will be imposed and what triggers will be used to initiate these requirements? Will there be a transparent cost benefit analysis to determine whether this added government oversight will reap societal environmental rewards commensurate with the individual farmers sacrifice? Will the CT Department of Agriculture have the opportunity to review the data supporting DEP's decisions prior to initiation to insure that the costs to farmers are what were intended by the regulations ?

The Department of Agriculture respectfully requests that the Department of Environmental Protection completes the process of classifying the rivers and streams in the 5 major river basins in the state before proceeding with establishing stream flow regulations in order to clarify and make transparent what is expected of Connecticut's farmers in the near and distant future.

Thank you for the opportunity to once again say that successful and appropriate management of this critical resource is needed and desired by the agricultural community in a clear and mutually beneficial manner. But this cannot be at the expense of farms which may have been in families for generations. The Department of Agriculture stands ready to work with the Department of Environmental Protection to protect and preserve this irreplaceable agricultural natural resource.

Thank you.